



ATTORNEY DOCKET NO. 07089.0010U1
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)	
)	
Dybkjaer <i>et al.</i>)	
)	Group Art Unit: 1764
Application No.: 09/743,528)	
)	Examiner: Ridley, B.
Filed: March 29, 2001)	
)	Confirmation No. 4036
FOR: SYNTHESIS GAS PRODUCTION BY)	
STEAM REFORMING)	

TERMINAL DISCLAIMER AND DECLARATION UNDER 37 CFR § 1.130(a)

Petitioner, HALDOR TOPSOE A/S, is the assignee and exclusive owner of the entire interest in Application No. 09/743,528 referenced above, which is an application under 35 U.S.C. § 371 of international application number PCT/EP98/04563, as evidenced by an Assignment from the inventors, Ib Dybkjaer, Peter Seier Christensen, Vigo Lucassen Hansen and J.R. Rostrup-Nielsen to HALDOR TOPSOE A/S, recorded at Reel/Frame 011669/0900. HALDOR TOPSOE A/S is also the assignee and exclusive owner of the entire interest in U.S. Patent No. 5,932,141, recorded at Reel/Frame 008968/0451.

HALDOR TOPSOE A/S hereby disclaims the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of U.S. Patent No. 5,932,141, and shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Application No. 09/743,528. This agreement shall run with any patent granted on the above-identified application and be binding upon the grantee, its successors or assigns.

In making the above disclaimer, HALDOR TOPSOE A/S does not disclaim any terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I, the undersigned, whose title is given below, am empowered to represent the assignee, HALDOR TOPSOE A/S. I have reviewed all of the documents and the chain of title of the patent application, Serial No. 09/743,528, identified above and to the best of my knowledge and belief all right, title and interest in the above-identified patent application resides with the HALDOR TOPSOE A/S.

I, the undersigned, declare that the above-identified application and U.S. Patent No. 5,932,141 are currently owned by HALDOR TOPSOE A/S, and that the inventor named in the above-identified application is the prior inventor under 35 § U.S.C. 104.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements and the like so made are

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punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application of any patent issuing thereon.

HALDOR TOPSØE A/S

Name: GIORGIO GIROLA

Title: Managing Director

Signature: 

Date: 28 July 2004

HALDOR TOPSØE A/S
Nymøllevej 55
DK-2800 Lyngby
Denmark

226030